

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
W/S York Road, 570' S of Raven *
Rock Court * DEPUTY ZONING COMMISSIONER
(17912 York Road) *
7th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
Case No. 95-179-X
Christopher R. Lang, et ux *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for a winery on the subject property as an agricultural support use, including accessory retail and wholesale distribution of wine produced on the premises, and including temporary promotional events, such as wine tasting and public gatherings associated with the winery. The Petition was filed by the owners of the property, Christopher and Patricia Lang, through their attorney, Stuart D. Kaplow, Esquire. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Christopher and Patricia Lang, owners of the property, Albert M. Copp, Herbert A. Davis, and Stuart D. Kaplow, Esquire, attorney for the Petitioners. Appearing as a concerned citizen was Marion V. Runkles, III, Secretary of the Weisburg Community Association.

Testimony and evidence offered revealed that the subject property consists of 18.364 acres, more or less zoned R.C. 4 and is improved with a two-story dwelling, detached garage and barn. The property is located in the Parkton area of northern Baltimore County, west of I-83 and York Road. Testimony proffered by Mr. Kaplow revealed that the Petitioners currently operate a small Maryland winery known as the Woodhall Winery on Wheeler

ORDER RECEIVED FOR FILING

Date

By

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Road in Sparks. The Petitioners are desirous of relocating this winery to the subject property in the location shown as the special exception area on Petitioner's Exhibit 1. The Petitioners reside in the dwelling on the property, however, the area set aside for the proposed special exception use encompasses only a small portion of the property and includes the garage and barn structures as well as a small parking area. It is to be noted that the two-story dwelling was specifically left outside the special exception area and will not be part of the winery operation. Therefore, this dwelling shall only be used for residential purposes. Furthermore, limiting the area of the special exception will control any future expansion of this use. The remainder of the land will be utilized for the purpose of growing grapes for the winery and as such, shall remain an agricultural use. Therefore, the production and sale of wine will be limited to the special exception area depicted on the site plan.

Testimony proffered by Mr. Kaplow revealed that the winery will utilize the existing buildings on the site and that no new buildings are proposed. However, as noted on the site plan, the Petitioners do propose some future expansion to the existing barn in order to accommodate storage of the wine which will be produced on their property. More specific information was provided by the principals of the Woodhall Winery. Testimony offered by the Langs revealed that the Woodhall Winery has been in business for the past 10 years. They produce wine both from their own grapes as well as from grapes that are grown on other farms elsewhere in the State of Maryland. They testified that the Woodhall Winery supports Maryland agriculture by purchasing grapes from other farms around the State.

Appearing as a concerned citizen was Mr. Marion Runkles, secretary of the Weisburg Community Association. Mr. Runkles stated that his Associ-

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Date

By

ation is concerned with any retail operation that is proposed for this area. He testified that they are also concerned about the potential for future expansion of the proposed retail operation and would like to have safeguards to provide against any future expansion. Therefore, at the close of the hearing, it was requested that Mr. Runkles, on behalf of the Weisburg Community Association, have an opportunity to further communicate with the Petitioners to draft restrictions and covenants that will apply to the proposed winery operation.

By letters dated December 20, 1994 and December 23, 1994 from Messrs. Runkles and Kaplow, respectively, it appears that the Weisburg Community Association and the Petitioners have not been able to agree upon appropriate terms and conditions to be placed upon the special exception use. Therefore, a decision shall be rendered based upon the testimony and evidence presented at the hearing and the Zoning Plans Advisory Committee comments submitted by the various Baltimore County reviewing agencies.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.4 zone by special exception. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. As noted above, only a very small portion of the subject property will be used for the production and sale of wine. The remaining land shall be used for the purpose of growing grapes for the winery. The Office of Planning and Zoning supports the relief requested as being "consistent

ORDER RECEIVED FOR FILING

Date

By

with a Master Plan priority to retain and support agriculture as an important industry in the County" and further noted that "The proposed use will also protect and maintain the rural character of the area..." The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.


THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of January, 1995 that the Petition for Special Exception to permit a winery on the subject property as an agricultural support use, including accessory retail and wholesale distribution of wine produced on the premises, and including temporary promotional events, such as wine tasting and public gatherings associated with the winery, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The special exception relief granted herein is limited to that area containing the barn, garage and parking area as depicted on Petitioner's Exhibit 1. There shall be no expansion of the winery operation outside this special exception area.

3) Compliance with the Zoning Plans Advisory Committee comments submitted by the various Baltimore County reviewing agencies.

4) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 11/3/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 3, 1995

Stuart D. Kaplow, Esquire
5125 Roland Avenue
Baltimore, Maryland 21210

RE: PETITION FOR SPECIAL EXCEPTION
W/S York Road, 570' S of Raven Rock Court
(17912 York Road)
7th Election District - 3rd Councilmanic District
Christopher R. Lang, et ux - Petitioners
Case No. 95-179-X

Dear Mr. Kaplow:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Marion V. Runkles, III
18200 York Road, Parkton, Md. 21120

People's Counsel

File

MICROFILMED



174



Petition for Special Exception

95-179-X

to the Zoning Commissioner of Baltimore County

for the property located at

17912 York Rd

which is presently zoned RC-4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A winery as an agricultural support use, including accessory retail and wholesale distribution of wine produced on the premises, and including temporary promotional events, such as wine tasting and public gatherings associated with the winery.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

CHRISTOPHER R. LANG
(Type or Print Name)

Signature

PATRICIA LANG
(Type or Print Name)

Signature

17912 York Road 410-357-8644
Address Phone No.

PARKTON MD 21120
City State Zipcode
Name, Address and phone number of representative to be contacted.

Attorney for Petitioner:

STUART D. KAPLOW
(Type or Print Name)

Signature

5125 ROLAND AVENUE 435-5632
Address Phone No.

BALTIMORE, MD 21210
City State Zipcode

STUART D. KAPLOW
Name
5125 ROLAND AVENUE 435-5632
Address Phone No.
21210

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING

Date

By

DROP-OFF
NO REVIEW
11-7-94
WCR



WHITNEY BAILEY



COX MAGNANI



**ZONING DESCRIPTION
FOR PORTION OF
CHRISTOFER & PATRICIA LANG PROPERTY
KNOWN AS**

**WOODHALL WINERY
17912 YORK ROAD**

PARKTON, 12th ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at or near the center of York Road, at a point located, as now described by Whitney, Bailey, Cox & Magnani from deeds and other sources without benefit of field survey, for zoning purposes only, and not for use in conveyancing, at the end of the 5 following courses and distances measured along said York Road from the center of the bridge conveying York Road across the Gunpowder Falls:

- (1) North 27 degrees 45 minutes 17 seconds West 37.48 feet, thence
- (2) North 17 degrees 21 minutes 22 seconds West 50.80 feet, thence
- (3) North 05 degrees 40 minutes 27 seconds West 50.07 feet, thence
- (4) North 03 degrees 04 minutes 47 seconds East 43.71 feet, and thence
- (5) North 12 degrees 10 minutes 36 seconds East 24.07 feet

to the true place of beginning;

THENCE leaving said place of beginning and York Road, running through the property of Christofer & Patricia Lang to describe a special exception parcel, the 6 following courses and distances:

- (1) North 76 degrees 57 minutes 24 seconds West 399.60 feet, thence
- (2) North 09 degrees 05 minutes 16 seconds East 209.21 feet, thence
- (3) South 81 degrees 29 minutes 14 seconds East 122.85 feet, thence
- (4) North 05 degrees 54 minutes 16 seconds East 261.33 feet, thence
- (5) South 70 degrees 04 minutes 59 seconds East 319.69 feet

to the aforesaid York Road, thence with said York Road

- (6) South 12 degrees 10 minutes 36 seconds West 439.51 feet
- to the place of beginning.

CONTAINING an area of 160,359 square feet, or 3.6813 acres of land, more or less.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-179-X

District: 7th Date of Posting: 11/18/94

Posted for: Special Exception

Petitioner: Christopher & Patricia Lang

Location of property: 17912 York Rd.

Location of Signs: Flashing red sign on property being zoned
Posted at driveway leading to house on W/S of road

Remarks: _____

Posted by: [Signature] Date of return: 11/28/94
Signature

Number of Signs: 1

MICROFILMED



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, as follows:

Case Number:

85-179-X (Item 174)
17912 York Road -
Woodhall Winery
W/S York Road, 670' S
of Raven Rock Court
7th Election District
3rd Councilmanic

Legal Owner(s):

Christopher R. Lang and
Patricia Lang

HEARING: TUESDAY,
DECEMBER 13, 1994 at
10:00 a.m. in Rm. 118, Old
Courthouse.

Special Exception: for a winery as an agricultural support use, including accessory retail and wholesale distribution of wine produced on the premises and including temporary promotional events, such as wine tasting and public gatherings associated with the winery.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-
icapped Accessible for special
accommodations. Please Call
887-3353.

(2) For informa-
tion concerning the File and/or
Hearing, Please Call 887-3391.

11/279 November 24.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Nov. 25, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 24, 1994.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

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Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Tow. shn, Maryland 21204

receipt

95-179-X

Account: R-001-6150

Number 174 (WCR)

DROP-OFF — NO REVIEW

Date 11/7/94

#050 - SPECIAL EXCEPTION ----- \$300.00

#080 - SIGN POSTING ----- 35.00

TOTAL ----- \$335.00

Christopher R. & Patricia Lang
17912 York Road (Woodhall Winery)
3.6813 +/- acres
District: 12c3
Zoning: R.C.-4
Attorney: Stuart D. Kaplow

Check from Stuart D. Kaplow, Esq.

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02A02800280138K

\$ 335.00

BA 0002801A81-09-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: PUTUXENT PUBLISHING COMPANY
November 24, 1994 Issue - Jeffersonian

Please forward billing to:

Stuart D. Kaplow, Esq.
5125 Roland Avenue
Baltimore, Maryland 21210
435-5632

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-179-X (Item 174)
17912 York Road - Woodhall Winery
W/S York Road, 570' S of Raven Rock Court
7th Election District - 3rd Councilmanic
Legal Owner(s): Christopher R. Lang and Patricia Lang
HEARING: TUESDAY, DECEMBER 13, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

Special Exception for a winery as an agricultural support use, including accessory retail and wholesale distribution of wine produced on the premises and including temporary promotional events, such as wine tasting and public gatherings associated with the winery.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

APPROVED FOR THE BOARD
11/24/94

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 17, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-179-X (Item 174)
17912 York Road - Woodhall Winery
W/S York Road, 570' S of Raven Rock Court
7th Election District - 3rd Councilmanic
Legal Owner(s): Christopher R. Lang and Patricia Lang
HEARING: TUESDAY, DECEMBER 13, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

Special Exception for a winery as an agricultural support use, including accessory retail and wholesale distribution of wine produced on the premises and including temporary promotional events, such as wine tasting and public gatherings associated with the winery.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Christopher and Patricia Lang
Stuart D. Kaplow, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

11/18/94

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DEC. 06 1994

Stuart D. Kaplow
5125 Roland Avenue
Baltimore, Maryland 21210

RE: Item Number: 174
Case Number: 95-179X
Petitioner: Mr. & Mrs. C. R. Lang

Dear Mr. Kaplow:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Zoning Administration and Development Management (ZADM), Development Control, on November 7, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce N. Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jnw
Enclosure(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director November 28, 1994
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #174 - Woodhall Winery
17912 York Road
Zoning Advisory Committee Meeting of November 21, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Agricultural Preservation Program

We support this request and encourage more agricultural uses and economic production of agricultural products.

The proposed improvements are in the area of existing buildings and thus minimize any loss of prime and productive soils.

Ground Water Management

Soil percolation tests must be conducted prior to the commercial development of the property.

/
JLP:JW:WL:TE:sp

WOODHALL/DEPRM/TXTSBP

WILSON: 11/29/94

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: November 22, 1994

SUBJECT: 17912 York Rd.

INFORMATION:

Item Number: 174
Petitioner: Christopher Lang
Property Size: 18.3 acres
Zoning: R.C.-4
Requested Action: Special Exception
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided, staff offers the following comment:

A winery as an agricultural support use at this location is consistent with a Master Plan priority to retain and support agriculture as an important industry in the County. The proposed use will also protect and maintain the rural character of the area in which the subject request is located. Staff supports the applicant's request provided the following conditions are met:

- The plat accompanying the Petition should be amended to indicate an area for temporary parking since the application notes that public gatherings are to take place; and
- Prior to erection of any sign, the Director of the Office of Planning and Zoning should review a detail to ensure that the proposed sign embodies the rural character of the area.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 11/17/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF NOV. 21, 1994

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3: The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 173, 174, 175, 176 AND 177.

RECEIVED

NOV 21 1994

ZADM

REVIEWER: LT. ROBERT P. SALERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper

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**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

August 5, 1994

Mr. John Alexander
Zoning Administration and
Development Management
Baltimore County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
MD 45
Proposed Woodhall
Vinyards and Wine
Cellars
17912 York Road
Preliminary Access
request submittal
Mile Post 17.93

Dear Mr. Alexander:

Thank you for your submittal of July 6th, which we received on July 11th, requesting our requirements regarding access to the referenced development.

A field inspection of the site reveals that the existing 25' entrance onto MD 45 appears to be generally acceptable to the State Highway Administration. However, this office would like to have an opportunity to review a more detailed plan for the proposed development indicating the on-site development, days and hours of operation and the estimated average daily trips that would be generated by this development in order to determine what additional improvements if any, would be required as a condition of plan approval.

If you have any questions, please contact Bob Small at 410-333-1350. Thank you for the opportunity to review this plan.

Very truly yours,

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/es

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

44-11-5-664

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
17912 York Road - Woodhall Winery		
W/S York Road, 570' S of Raven Rock Ct	*	ZONING COMMISSIONER
7th Election District, 3rd Councilmanic		
	*	OF BALTIMORE COUNTY
Christopher R. Lang and Patricia Lang		
Petitioners	*	CASE NO. 95-179-X
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 1994, a copy of the foregoing Entry of Appearance was mailed to Stuart D. Kaplow, Esquire, 5125 Roland Avenue, Baltimore, MD 21210, attorney for Petitioner.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

NOTED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 1, 1994

Stuart D. Kaplow, Esquire
5125 Roland Avenue
Baltimore, MD 21210

95-179

RE: Preliminary Petition Review (Item #174)
Legal Owner: Patricia & Christopher R. Lang
17912 York Road (Woodhall Winery)
12th Election District

Dear Mr. Kaplow:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "C.A. Milton".

Catherine A. Milton
Planner I

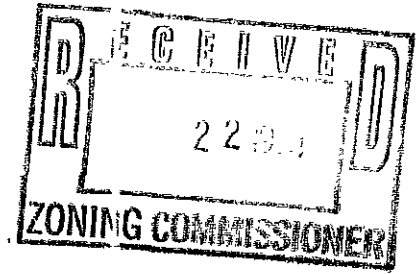
CAM:scj

Enclosure (receipt)

cc: Zoning Commissioner



WEISBURG COMMUNITY ASSOC., INC.
18,200 York Road
Parkton, Md., 21120
20 December 1994



Mr. Timothy Kotroco
Room 112
Old Court House
Towson, Md., 21204

Ref: Woodhall Winery
17,912 York Rd.

Dear Mr. Kotroco:

This is to advise that we are still trying to work out an agreement with the owners of the proposed winery. Due to the approaching holidays, it has been extremely difficult even to find a time when we could even get most of our board together. Our board has now reached an agreement as to what we would like to see, and as soon as we hear from the S.H.A. and D.N.R.--and in no event later than this Thursday, we will put our final proposal before Mr. Kaplow.

Whether we can agree or not, I will be contacting you in writing the week of 26 December concerning our stand.

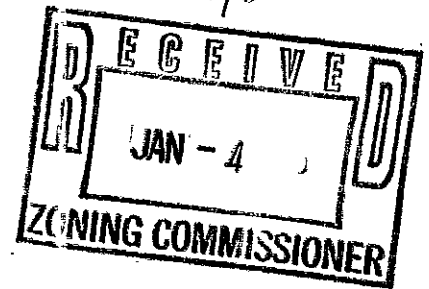
I regret the time that this has taken, and being a businessman myself, I can ill afford the time that I have had to spend during this our busy season; however, I assure you that I am doing the best that I can.

Very truly yours,

M. V. Runkles, III, Sec'ty
WEISBURG COMMUNITY ASSOC., INC.

MICROFILMED

WEISBURG COMMUNITY ASSOC., INC.
18,200 York Road
Parkton, Md., 21120
30 December 1994



Mr. Timothy Kotroco
Room 112
Old Court House
Towson, Md., 21204

Ref: Woodhall Winery
17,912 York Road

Dear Sir:

I am very sorry to report that we have been unable to reach any compromises with Mr. Kaplow. Therefore I will report the position of the Board as follows:

1. We feel that the total of existing and proposed square footage of 11,700 sq. ft. is way too large for our farming area. We suggest that the guidelines for square footage listed in the Hereford Plan be followed, i.e. a maximum of 8,800 sq. ft.
2. We are particularly concerned with the 900 sq. ft. of retail space, as it is much larger than any other winery in the County. Mr. DeFord of Boordy vinyards does not have this much retail space and he sponsors such events as "Bike-a-thons", etc, which draw 200 to 300 people. This ceases to be farming and instead becomes a commercial enterprise, which we feel is completely out of place. We would like to see a limit of 20 people imposed for all commercial events.
3. We have great reservations about the terrible existing entrance. We discussed this with Bob Small, (permits & access, S.H.A.). He assured us that when any expansion took place that the entrance would have to be improved, including the addition of a street light. If and when this happens, we request that the light be low profile and that no direct light path can leave the property for more than 50 ft. We further request that the maximum square footage of any sign be no more than 20 sq. ft., and that it be unlit, other than the future streetlight.
4. We would also like to request that this Special Exception will cease the day the property is sold or the day the business ceases.
5. We would like to request that any future paving be required to be porous (and not impervious) due to the very steep slopes and the closeness to the Gunpowder River.

Very truly yours,

M. V. Runkles, III, Sec'ty

WILLIAMSON

174

STUART D. KAPLOW, P.A.
ATTORNEYS AT LAW
5125 ROLAND AVENUE
BALTIMORE, MARYLAND 21210
TELEPHONE (410) 435-5632
FACSIMILE (410) 435-6134

STUART D. KAPLOW

November 7, 1994

Hand Delivered

Department of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Filing of new petition
Woodhall Winery

Dear Sirs:

I am by this letter filing, under the expedited petition filing process, a Petition For Special Exception in the above noted matter.

Specifically, find attached:

- 3 original petitions;
- 12 plans;
- 3 zoning map exhibits; and
- 3 metes and bounds descriptions.

Also, find attached my firm's check in the amount of \$335.00, as payment of the filing fee and posting charge.

Be aware that John Alexander has reviewed this plan. There are no zoning violations on the property. Please send the bill for advertising to me at this address.

Thanking you in advance for your courtesies, should their be any difficulties with this submittal, please give me a call.

Sincerely,

Stuart D. Kaplow

Attachments

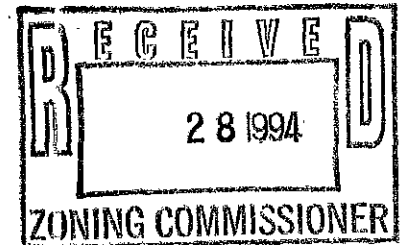
cc: Mr. Al Copp

SDK:tbn

STUART D. KAPLOW, P.A.
ATTORNEYS AT LAW
5125 ROLAND AVENUE
BALTIMORE, MARYLAND 21210
TELEPHONE (410) 435-5632
FACSIMILE (410) 435-6134

STUART D. KAPLOW

December 15, 1994



Mr. Marion V. Runkles, III
18200 York Road
Parkton, Maryland 21120

Re: Woodhalll Winery

Dear Mr. Runkles:

This letter is written in furtherance of our conversations of earlier today with respect to the Special Exception for establishing a winery at 17912 York Road.

As you are aware, Timothy Kotroco, the Deputy Zoning Commissioner provided us an opportunity to speak following the hearing in an effort to address your concerns about the proposed winery. During the hearing and following the hearing, my clients explained to you the nature of the contemplated improvements to the existing buildings, including the anticipated additions to the existing 30' x 60' building.

While the Special Exception plan depicts the only buildings permitted on the site without a further public hearing (including the maximum size of those buildings), in an effort to address your concerns about future growth, my clients, at the time of the hearing, following the hearing, and now continue to be willing to enter into certain agreements that could become part of the Deputy Zoning Commissioner's order. As we discussed, my clients are willing to limit the square footage of the retail use; limit the number of full time employees; and, limit the size of the sign, in the interest of being good neighbors.

But your request, earlier today, to shrink the winery to a maximum of 8,800 square feet appears to go far beyond our original conversations and your concern over expansion. As I explained when we last spoke this approximately 1/3 reduction in the contemplated ultimate size of the winery does not afford my clients an economically viable operating space. The nature of the winery operation, including storage of wine in small wood barrels, requires the floor area requested.

My clients remain hopeful that we will be able to find an amicable resolution of your concerns and ask that you please reconsider the limitations on square footage of retail, number of full time employees, and size of the sign. Recognizing that you can not schedule a meeting of your Board prior to your trip to

STUART D. KAPLOW, P.A.

Mr. Marion V. Runkles, III
December 15, 1994

England, I look forward to speaking with you on Tuesday, when you will hopefully have been able to poll your Board members. Should you have any questions over the weekend, of course, feel free to telephone me at home at 321-6025.

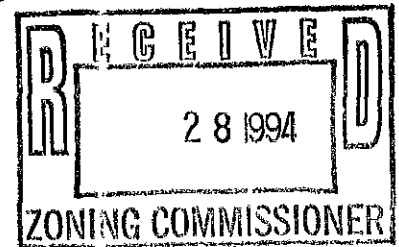
Thank you in advance for all of your courtesies.

Sincerely,

Stuart D. Kaplow

SDK:tbm

STUART D. KAPLOW, P.A.
ATTORNEYS AT LAW
5125 ROLAND AVENUE
BALTIMORE, MARYLAND 21210
TELEPHONE (410) 435-5632
FACSIMILE (410) 435-6134



STUART D. KAPLOW

December 23, 1994

Timothy M. Kotroco, Deputy Zoning Commissioner
Old Court House - 1st Floor
400 Washington Avenue
Towson, Maryland 21204

Re: Mr. Christopher Lang et ux
Woodhall Winery Special Exception
Case No. 95-179X

Dear Commissioner Kotroco:

I am writing to request that you please pass an order in the Woodhall Winery special exception case.

Despite efforts on our part, we have been unable to conclude any understanding with Marion Runkles, the individual who appeared at the hearing "with some questions."

It is significant that my clients initiated contact with Mr. Runkles (as the representative of whatever exists of the Wiseberg Community Association) last Spring and asked to meet with the association to explain their proposed operation and, in fact proposed a meeting at their current winery location so that everyone would see the exact nature of the operation. My clients were rebuffed and Mr. Runkles declined to schedule any meeting.

Again, following the hearing before you, we asked to meet with members of the association and Mr. Runkles indicated that such was not possible. He directed that all contact be thru him.

I have had several telephone conversations with Mr. Runkles and following our conversation last Friday, I sent him the letter dated December 15, 1994 that is attached. We spoke again on Tuesday and he was to get back to me yesterday. I telephoned him twice yesterday leaving him my office and home numbers and again today, without reaching him or receiving a return call. Given that Mr. Runkles has indicated that he is leaving the country for several weeks, I thought it necessary and proper to write to you.

While my clients have offered to limit the square footage of the retail use; limit the number of full time employees; and limit the size of the sign (as you will see from my December 15th letter), none of those limitations are acceptable to Mr. Runkles. His current demand is that the entire operation be reduced in size and be limited to 8,800 square feet and other unknown

MICROFILMED

STUART D. KAPLOW, P.A.

Mr. Timothy M. Kotroco
Page Two
December 23, 1994

restrictions that his Board is still formulating. By this letter, I am asking that you pass an order in the special exception case without conditions.

While I believe that the testimony at the hearing clearly demonstrated that the winery would operate without harm to the health, safety, and welfare of the neighborhood, the site plan submitted is very restrictive and by the size of the existing buildings that are to be reused (including the depicted additions to those buildings) the operated is limited. Unfortunately, we consider the likelihood of an appeal great and would ask that you please pass an order without conditions.

Thank you for your consideration of this matter.

Sincerely,

Stuart D. Kaplow

Enclosure

cc: Mr. Marion V. Runkles, III
Mr & Mrs. Christopher Lang
SDK:tbm

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Stanley D. Karon

5125 Round Ave 21210

Albert M. Copp

218 Woodlawn Rd 21210

Pat Lang

17912 York Rd PARKTON 21120

Christopher R. Lang

17912 York Rd. PARKTON 21120

Hebert A. Davis

15115 Wheeler Lane Sparks 21152



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

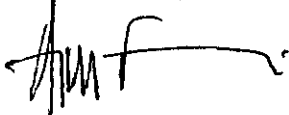
November 30, 1994

The Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

Dear Commissioner:

This letter is in support of the relocation of Woodhall Vineyards and Wine Cellars from Wheeler Lane in Sparks, Maryland, to 17912 York Road, Parkton, Maryland.

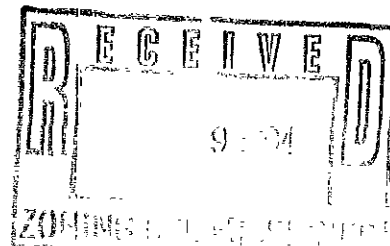
Sincerely,



ANGUS E. FINNEY

1153 BERNOUY RD.

WHITE HALL MD 21161



MICROFILMED

November 30, 1994

The Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

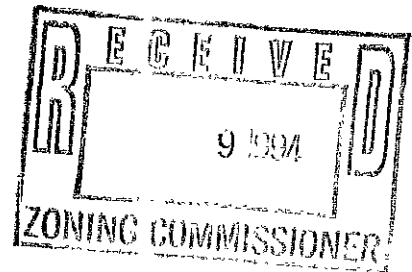
Dear Commissioner:

This letter is in support of the relocation of Woodhall
Vineyards and Wine Cellars from Wheeler Lane in Sparks,
Maryland, to 17912 York Road, Parkton, Maryland.

Sincerely,

Beth Boardman

18126 York Rd
PARKTON MD 21120



11/30/94

November 30, 1994

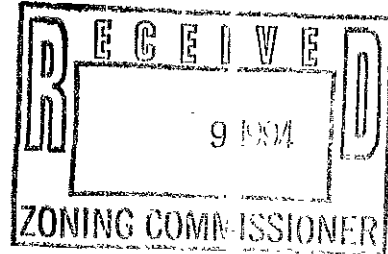
The Zoning Commissioner
400 Washington Avenue
Towson. MD 21204

Dear Commissioner:

This letter is in support of the relocation of Woodhall Vineyards and Wine Cellars from Wheeler Lane in Sparks, Maryland, to 17912 York Road, Parkton, Maryland.

Sincerely,

Karen S. Miller
2900 White Hall Rd.
White Hall, Md. 21161



RECORDED

November 30, 1994

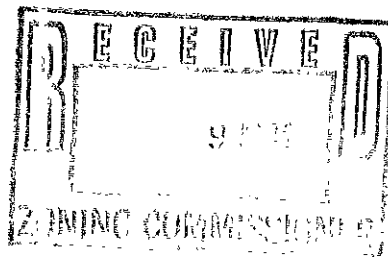
The Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

Dear Commissioner:

This letter is in support of the relocation of Woodhall
Vineyards and Wine Cellars from Wheeler Lane in Sparks,
Maryland, to 17912 York Road, Parkton, Maryland.

Sincerely,

Steve Todd
913C Bernoudy Rd.
Whitehall, Maryland
21161



MICROFILMED

November 30, 1994

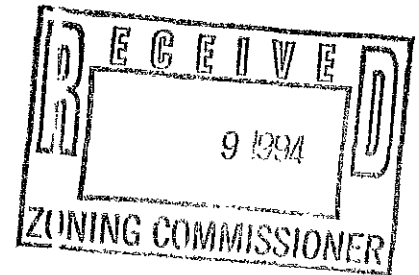
The Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

Dear Commissioner:

This letter is in support of the relocation of Woodhall
Vineyards and Wine Cellars from Wheeler Lane in Sparks,
Maryland, to 17912 York Road, Parkton, Maryland.

Sincerely,

Debbie Todd
913 C Bernoulli Rd.
White Hall, Md.
21161.



4/15/95 10:00 AM

R. C. 4

174

95-179-X

N 117 000

R. C. 4

R. C. 4

R. C. 4

R. C. 4

R. C. 4

NW 30 C

NW 29 C

W 13 500

W 13 500

83

BALTIMORE

HARRISBURG

(USC BGS.)
STA FALLS
AZ. MK

EXPRESSWAY

RD

YORK

YORK

RD

45

45

N 65 000

N 16 000

N 16 000

N 64 9 000

N 115 000

W 12 000



N

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Nov. 28, 1994
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

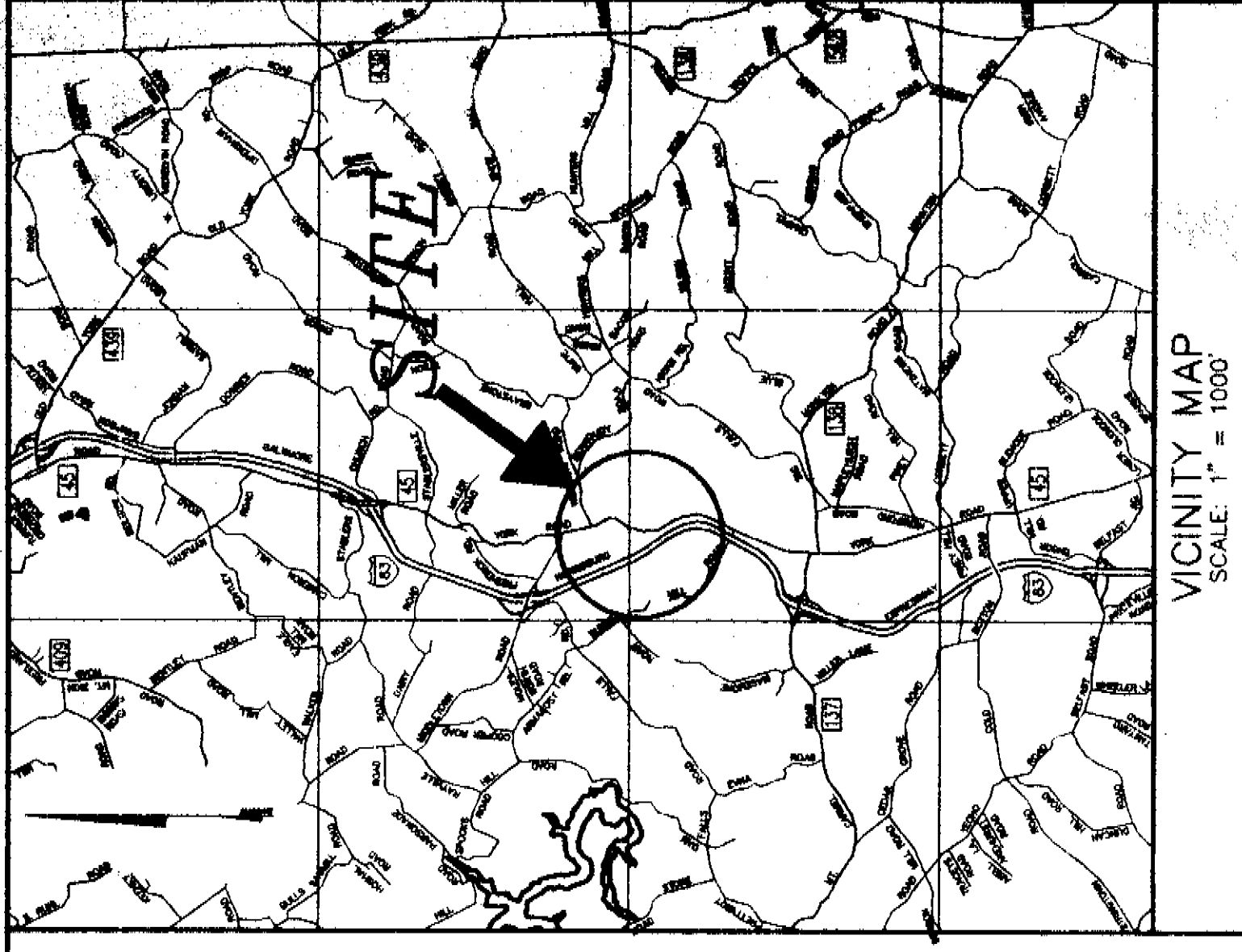
RE: Zoning Advisory Committee Meeting
for November 28, 1994
Item No. 174

The Developers Engineering Section has reviewed the subject zoning item. All improvements, entrances, drainage requirements and construction affecting the State Route 45, York Road, right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

Future development of the site will be subject to the Baltimore County Landscape Manual.

RWB:sw

ENCLOSURE



PROPERTY OWNER: CHRISTOPHER & PATRICIA LANG
TAX ACCOUNT NO. 0720030602
TAX MAP NO. 17, BL 20, PARCEL - 152,413
EXISTING FLOOR AREA RATIO - 0.006
AREA OF PROPERTY - 18,364 AC.
ZONING - RC-4

PARKING CALCULATIONS:
REQUIRED: 5/1000 SF RETAIL SPACE
1/EMPLOYEE/SHIFT FOR MANUFACTURING
WAREHOUSE

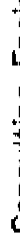
PROPOSED SIGN SHALL COMPLY WITH ALL REQUIREMENTS
OF THE BALTIMORE COUNTY ZONING REGULATIONS


[illegible]

PLAN TO ACCOMPANY A SPECIAL EXCEPTION

PROJECT TITLE: WOODHALL WINERY
17912 YORK ROAD
PARKTON, MARYLAND
12th ELECTION DISTRICT 3rd COUNTY COUNCIL DISTRICT

ENGINEERS:

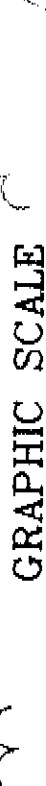
 Consulting Engineers
1850 York Road
Timonium, Maryland 21083
(410) 252-6060
WHITNEY, BAILEY, COX & MAGNANI

DESIGNED: AC	 11/2/84 MICROFILMED
DRAWN: ECF	
CHECKED: RZB	
DATE: NOVEMBER 2, 1984	
SCALE: 1" = 100'	

C-1 OF 1



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.